

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RICHARD DEBS,

Case No. 05-CV-74209-DT

Plaintiff,

Hon. Gerald E. Rosen

vs.

PATRICIA L. CARUSO, et al.,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION GRANTING DEFENDANTS' MOTION
TO TAX COSTS, AND ORDER TAXING COSTS**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on May 9, 2007

PRESENT: Honorable Gerald E. Rosen
United States District Judge

This matter having come before the Court on the March 21, 2007 Report and Recommendation of United States Magistrate Mona K. Majzoub recommending that the Court grant Defendants' Motion to Tax Costs; and no timely objections having been filed; and the Court having reviewed the Magistrate Judge's Report and Recommendation, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Defendants' Motion to Tax Costs should be granted as recommended by the Magistrate Judge; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of March 21, 2007 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's

Report and Recommendation, Defendants' Motion to Tax Costs be, and hereby is, GRANTED as follows:

IT IS ORDERED that Plaintiff shall pay to Defendants' attorney, the Attorney General of the State of Michigan, taxable costs in the amount of \$64.00.

If Plaintiff is unable to pay the full amount at present, Plaintiff shall make an initial payment of costs equal to twenty-percent of the greater of (A) the average monthly deposits to the prisoner's account, or (B) the average monthly balance in the prisoner's account over a six month period. See 28 U.S.C. § 1915(a)(2), (f)(2)(B). This amount is immediately payable to the Michigan Attorney General's Office. The remainder is to be paid to the Michigan Attorney General's Office by withdrawing twenty percent (20%) of the monthly income credited to Plaintiff's account until paid in full. See 28 U.S.C. § 1915(a)(2). The Michigan Department of Corrections (MDOC) is not required to immediately forward withdrawn funds totaling less than \$10.00 to the Michigan Attorney General's Office, but in conjunction with that office, must take steps to make sure that the total amount withdrawn does not exceed the \$64.00 in costs awarded.

So ordered.

s/Gerald E. Rosen
United States District Judge

Dated: May 9, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 9, 2007, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry
Case Manager